

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Establish a Residential Wood Stove Replacement Fund

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §610-D is enacted to read:

§ 610-D. Residential Wood Stove Replacement Fund

1. Fund established. The Residential Wood Stove Replacement Fund, referred to in this section as "the fund," is established as a nonlapsing fund administered by the department for the purpose of providing financial incentives for the replacement of wood stoves with cleaner alternatives.

2. Sources of money. The fund consists of any money received from the following sources:

A. Appropriations by the State;

B. Contributions from any other source, both public and private; and

C. Civil penalties for violations of air quality laws or rules administered by the department if the penalties are imposed pursuant to an administrative consent agreement or court-ordered consent decree and the person against whom the penalty is imposed expressly assents in the agreement or decree that the penalty may be paid into the fund.

Money deposited in the fund must be deposited with the Treasurer of State to the credit of the fund and may be invested as provided by law. Interest on that investment must be credited to the fund.

3. Disbursements from the fund. The department shall apply the money in the fund toward the award of financial incentives to replace residential wood stoves that are not certified by the United States Environmental Protection Agency with residential heating appliances with lower emissions of pollution such as wood stoves, pellet stoves or vented gas stoves that have been certified by the United States Environmental Protection Agency. Costs incurred by the department to administer the residential wood stove replacement program under subsection 4 may be paid by the fund.

4. Residential wood stove replacement program. The department shall establish a residential wood stove replacement program. The program must include, but is not limited to:

A. Public outreach and education;

B. Establishment of eligibility criteria for participating in the program, benefits available under the program and the process for establishing eligibility for benefits; and

C. Approved methods for removal and disposal of the replaced residential wood stoves.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality 0250

Initiative: Provides funding for the residential wood stove replacement program.

RESIDENTIAL WOOD STOVE REPLACEMENT FUND	2009-10	2010-11
All Other	\$0	\$1,500,000
RESIDENTIAL WOOD STOVE REPLACEMENT FUND TOTAL	\$0	\$1,500,000

SUMMARY

This bill establishes a residential wood stove replacement program in the Department of Environmental Protection under which eligible applicants could receive funding toward the purchase of new cleaner-burning residential heating appliances to replace older wood stoves and appropriates funds for that purpose.